

McAfee

10/684,266

Response to OF 7/7/04

Issue 1 , 2

The Patent department needs to provide an up front Honest and easy Form for adding a C.I.P. The rules covering the subject seem evasive and illdefinable . The ability to improve on ones original application while dealing with a thieving Corporate Climate is important to applicants. Taking three months before mail to the U.S. PTO is even opened creates time problems for us.

Issue 3

The PTO was notified that my Drawings have been inadvertently lost . Would you copy and send the drawings back to me to make those corrections which are so important to you . Patent regulations allow you to modify the Claims if that makes them acceptable so how much of a problem is it for you to make minor number changes to a drawing with a little whiteout.

Issue 6 , 7

By not making minor corrections to drawings yourselves you are creating additional change requirements which of course if not understood exactly, creates more problems

Issue 8

An agonizing attempt was made to meet the P.T.O.'s specification requirements . What is simple routine issues to the Examiners and their professional Business Clients is not obvious or even comprehensible to others and the Web site is of little to no help to us .

Issue 9

The Bold type was shown in the Nolo book that was referenced . Do the headings confuse you. My so called odd Abstract is written exactly as it would be printed in official patent printouts .

Issue 10, 11, 12

Sorry you have to go through all of that . Apparently the P.T.O. requires that inventors also need to be masters at grammar as well as Patent office legal speak and write . Hire typists .

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Claims Rejections

Issue 13

In reference to your previous decisions we have a difference of opinion on what is inventing

Issue 14

See 13

Issue 15

What are you talking about . All toilet bowl Claims are simple improvements to the art .

The Nolo book told me to make things broad so Lawyers cant nit pick it to Death .

Almost all Toilet venting patents are attempting to overcome the problems of difficult venting.

Placing the Fan in the Wall next to the Stack obviously makes it easier to vent into it .

Issue 16

The background of the invention states that a properly designed fan is needed .

The valve is shown next to the fan and its described how the fan blade opens the valve

The shape of the fan has an obvious effect on its ease of installation and that is described

Issue 17

As has been the issue in previous Office Actions we disagree on what has been invented

Issue 18

The number # 1. Claim in this C.I.P. is the well described up suck tube that is independent of the usual overflow tube many vent Patentees use to draw air up from the Toilet Bowl .

If you reread your excerpt from your reference Patent " Sowards ", he specifically states that he is using the " usual overflow pipe " . How could you of missed that . You read (3-18 col. 2) .

That guys got a problem in describing things that I don't want .

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Issue 19

You are correct that Poister has that fan and valve . He did not come up in my Patent search ??.

Your objection however says that he has all the Claimed features ignoring it seems , the Wall .

Perhaps the claim is misworded to P.T.O. standards but it says in the Wall and not in the Tank.

Poisters valve is a precdent but it should be noted that he indicated it had to have a spring

My intention as is obvious in the specifications is to create a valve that does not need a spring

and to that issue a special seal is also included and a curved valve that is hinged closer to the fan.

It should be noted that Poister was given a Patent for his simple spring flap valve in a toilet even

though such a valve could have been anticipated by the guy who invented the Toilet seat .

Give me the Fan in the wall and the flap, springed or not would not be that much of an issue .

Issue 20

Again we have had in the past and still do a difference in interpreting the regulations .

Issue 21

Refer to issue 18 where its contended that Sowards has any kind of independent updraft tube.

Fernald has no kind of updraft tube other then the standard overflow , on which he places a special cup which creates a really neat air seal to the inlet to his misplaced up- above fan.

His vent seal does not however allow air to be drawn while the uh , busyness is being done.

Issue 22

Flaps with edge seals have been in all kinds of things for a hundred years so how is it that that

Cour guy can get a patent for something that is so obvious with its sealing edges .

His rights to a patent seems to be derived from his creative drawing skills and a very specific application for use in an Automobiles vent system where its detail may have specific advantage

The detail and specificity and limited and previously untaught usage of rubber like edging in a

Toilet fan application should entitle me to the same consideration that Cour has received

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Issue 23

Bakkeren does show a way to twist lock a cap onto a housing to cover his small electric motor. Its probable that that same type of twist on cover has been used in numerous applications on various types of containers and in this case its specified as only a cover for a motors end . Bakkeren does not show that a twist on cover is used on the front of his fan but rather clips or screws which tie the unit together and is installed from the inside of a wall not the outside. Bakkeren does show an internal hub which is a common fan feature but its not a circular cover. He is very specific that his fan is typically screwed to the wall as in Fig. 3 .No hint of a bevel . Your perceptions of obviousness are obviously 20 20 hindsight with an excessive imagination.

Issue 24

You are obviously delusional in your comparison of my flexible exhaust hose to Poister and Buchanan to the point that no further discussion of these issues seems to be prudent .

Issue 25

The use of a flexible hose in any air duct or venting situation including Toilets is a given . Estradas use is typical of the flexible hoses value in making the necessary bends and curves. The usage however as expressed in Claim 12 as in Claim 11 is that the specific requirements that are needed to reinstall or service a wall mounted fan motor in the wall would and did Necessitate a compressible hose and or the large bend that is the base of claim 11 which is different from a normal pipe connecting flex hose which need not and normally does not fold. The collapsible hose behind a cloths dryer is an example of a flexible hose that also collapses. The claim uses the word "stretching" which is obviously to most the opposite of collapsing. If adding the word collapsing would make the claim valid then the applicant would make the attempt to amend the claim although it would probably be done wrong ,for some reason.